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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

MART LIIKANE,
Plaintiff,
v.
RHONDA BAKER
JOHN ADAMS
JAMES RUESKEN
THOMAS BIGSBY
CITY OF EVERETT
ABC LEGAL SERVICES
ADAM SHANTZ
SCARFF & WILSON, PLLC
TODD W. WILSON,
Defendants.

NO. CV10 537 RSL

CIVIL COMPLAINT
WITH JURY DEMAND



10-CV-00537-CMP

I JURISDICTION

The United States District Court, Western District of Washington at Seattle has the original jurisdiction in this civil action pursuant to Title 28 § 1333 (1)(2)(3)(4).

II PARTIES

Plaintiff, Mart Liikane, is an architect in State of Washington and State of Hawaii.

Civil Complaint ...

-1-

ORIGINAL

- 1 (2.2) Rhonda Baker is a property owner who filed a lawsuit against
2 Liikane for recording a Lis Pendens for nonpayment for the
3 architectural and engineering services rendered on her properties.
4 (2.3) John Adams is Rhonda Baker's attorney.
5 (2.4) James Ruesken is a building contractor who bought one of
6 the Baker's property.
7 (2.5) Thomas Bigsby is Ruesken's attorney.
8 (2.6) City of Everett is a Municipal Corporation.
9 (2.7) ABC Legal Services, is a Washington corporation.
10 (2.8) Adam Shantz is process server for ABC Legal Services.
11 (2.9) Scarff & Wilson, PLLC is a law firm representing ABC Legal
12 Services and Adam Shantz.
13 (2.10) Todd W. Wilson is an attorney representing ABC Legal
14 Services and Adam Shantz.

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III FIRST CLAIM FOR RELIEF - Breach of
contracts and perjury.

(3.1) Rhonda Baker hired architect Liikane to design two apartment buildings in Everett. She herself wrote the written contract with Liikane. Baker breached all these contracts and has to this day refused to pay for the architectural and engineering services rendered. During her deposition, taken by City of Everett, she committed perjury several times.

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28

Civil Complaint ... -2-

IV SECOND CLAIM FOR RELIEF - Obstruction of justice and perjury; misrepresentation and abuse of due process.

(4.1) Each of the above allegations are incorporated herein by reference.

(4.2) Mr. Adams, as Baker's attorney with his actions or inactions has for three times refused to bring Baker to her requested depositions. These were written requests for her oral examination. Liikane has attempted, verbally, to arrange for the deposition and Adams has refused to this day.

(4.3) Adams has made motions and has lied in court and with all these misrepresentations has falsely obtained orders to dismiss Liikane's counter-claim. Adams has not followed the court rules and with that he has abused the due process.

V THIRD CLAIM FOR RELIEF - Obstruction of justice
and perjury; attempting to obtain a default judgment against
Liikane, when Ruesken has not even served the Summons and
Complaint on Liikane as required by law; total abuse of process.

(5.1) Each of the above allegations are incorporated herein by reference.

(5.2) Evidently Ruesken filed a lawsuit against Liikane and to this day he has not served the Summons and Complaint on Liikane. Ruesken has committed perjury by declaring falsely that Liikane has been served, appeared and answered. He knowingly filed a motion for default judgment against Liikane abusing the due process, and with it obstructing justice.

1 VI FOURTH CLAIM FOR RELIEF - For malpractice,fraud,
2 misrepresentation,perjury and obstruction of justice.

3 (6.1) Each of the above allegations are incorporated herein by
4 reference.

5 (6.2) Attorney,Thomas Bigsby,for James Ruesken has committed
6 fraud,perjury,made misrepresentations in court and with all
7 these illegal activities he has obstructed justice. See EX. "A"

8 VII FIFTH CLAIM FOR RELIEF - Abuse of due process,
9 obstruction of justice and violation of U.S.Constitution.

10 (7.1) Each of the above allegations are incorporated herein by
11 reference.

12 (7.2) City of Everett abused the due process by filing a motion
13 for summary judgement knowing full well that many,many questions
14 of fact exist for a jury to decide and with it the constitutional
15 right for a jury trial has been taken away from Liikane.

16 Again, obstruction of justice has been committed by the City.

17 VIII SIXTH CLAIM FOR RELIEF - Abuse of due process,
18 perjury and obstruction of justice,

19 (8.1) Each of the above allegations are incorporated herein by
20 reference.

21 (8.2) ABC Legal Services,hired by Bigsby,abused the process by
22 sending out Adam Shantz to serve Summons and Complaint on Mark
23 Garris,Liikane's tenant and then committing perjury by under
24 oath decla~~x~~ring that Liikane was served. (To this moment Liikane
25 has not been served with that particular Summons and Complaint)
26 With all these fraudulent claims they have obstructed justice.

1 IX SEVENTH CLAIM FOR RELIEF - Abuse of due process,
2 perjury and obstruction of justice.

3 (9.1) Each of the above allegations are incorporated herein by
4 reference.

5 (9.2) Adam Shantz served the Summons and Complaint on Mark Garris
6 and committed perjury and fraud by under oath declared that he
7 served the Summons and Complaint on Liikane. This is all done
8 to damages to Liikane and obstruction of justice has occurred.

9 X EIGHTH CLAIM FOR RELIEF - Abuse of due process,
10 unlawfully obstructing Liikane's access to evidence, obstruction
11 of justice.

12 (10.1) Each of the above allegations are incorporated herein by
13 reference.

14 (10.2) Scarff and Wilson represent ABC Legal Services and Adam
15 Shantz and they are obstructing Liikane's access to evidence by
16 avoiding the called for depositions of ABC Legal Services and
17 of Adam Shantz. Therefore, the abuse of due process and with it
18 the obstruction of justice.

19

20 XI NINTH CLAIM FOR RELIEF - Abuse of due process,
21 failing to make reasonably diligent effort to comply with a
22 legally proper discovery request, obstruction of justice.

23 (11.1) Each of the above allegations are incorporated herein by
24 reference.

25 (11.2) Todd Wilson, attorney for ABC Legal Services and Adam
26 Shantz, has been served with the requests for depositions of his
27 clients and he has refused to accomplish this task.

1 Due to the violations of due process of law and U.S.Constitution
2 and corruption(perjury,abuse of due process of law, preventing the
3 plaintiff of having fair jury trial, by making motions for summary
4 judgments, while many issues of material facts exist for a jury to
5 decide and by preventing taking depositions and judges issuing
6 orders of dismissal to prevent plaintiff of having jury trials,
7 his constitutional right.

8 Because of all of these underhanded and unjust activities the
9 plaintiff has and still is suffering under great~~x~~ mental and
10 physical stress causing health problems on top of his five by-
11 pass open heart surgery with number of follow-up surgeries.

12 WHEREFORE, the plaintiff asks and prays for the following relief:

13 (1) That justice be administered and judges uphold their oath of
14 office and uphold the U.S.Constitution and behave impartially
15 and stop discriminating against pro se defendant and plaintiff~~def~~
16 (judges dismiss the claims and counter-claims by not upholding
17 the requirements of the Summary Judgment Rule 56).

18 (2) That the jury trial be ordered, as a constitutional right of
19 the plaintiff.

20 (3) That due to the violations of the 14th Amendment of U.S.Const.
21 by the defendants, the plaintiff recover the damages inflicted
22 upon the plaintiff by the defendants.

23 (4) That plaintiff recover and be awarded one million dollars
24 for his losses, pain and suffering, together with all the other
25 violations of the law by the defendants.

26 (5) For such other relief as the Court and or jury deems just
27 and equitable.

1
2 DATED this 27th day of March, 2010.
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7 Mart Liikane, Plaintiff

8 1608 Aurora Ave. N.
9 Seattle, Wa. 98109
10 (206) 484-6981

11 Defendants:

Rhonda Baker	City of Everett
4503 East Lake Goodwin Road	2930 Wetmore Ave., Suite 10-C
Stanwood, Wa. 98292	Everett, Wa. 98201
(425) 876-0885	(425) 257-7000
John M. Adams	ABC Legal Services, Inc.
11820 Northup Way, #E200	633 Yesler Way
Bellevue, Wa. 98005	Seattle, Wa. 98104
(206) 734-7525	(206) 521-9000
James Ruesken	Adam Shantz
P.O. Box 8	Same as ABC Legal Services
Marysville, Wa. 98270	
(260) 652-4896	Scarff & Wilson, PLLC
Thomas D. Bigsby, PLLC	3035 Island Crest Way, Ste 201
1907 Everett Ave.	Mercer Island, Wa. 98040
Everett, Wa. 98201	(206) 236-1500
(425) 259-5511	Todd W. Wilson
	Same as Scarff & Wilson, PLLC

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EXHIBIT

"A"

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR SNOHOMISH COUNTY

MART LIIKANE,) NO.
Plaintiff,)
V.) COMPLAINT FOR MALPRACTICE,
THOMAS D. BIGSBY,) FOR FRAUD, MISREPRESENTATION,
ABC LEGAL SERVICES, INC.) PURJURY AND OBSTRUCTION OF
Defendants:) JUSTICE
A.SHANTZ 0109175

COMES NOW plaintiff, Mart Liikane, and for his first cause of action against defendant, alleges and avers as follows:

I

Plaintiff, Mart Liikane, is an architect and contractor doing business in State of Washington.

II

Defendant, Thomas D. Bigsby, is presumably attorney at law doing business in State of Washington.

III

The defendant is presumably representing James and Patricia Ruesken, husband and wife.

COPY

1 IV

2 The Superior Court of the State of Washington for Snohomish Co.
3 has the jurisdiction in this case.

4 V

5 On August 12, 2008 the plaintiff filed a lien against the property
6 at 3726 Wetmore Ave. in Everett, Wa. for the architectural and
7 construction services rendered for which he has never been
8 compensated.

9 VI

10 On August 13, 2008 the owner of the property Mr. Ruesken res-
11 ponded to this lien. On August 20, 2008 the plaintiff received
12 a threatening letter from the defendant Thomas D. Bigsby.

13 VII

14 The plaintiff immediately called the defendant and responded to
15 his threatening letter, indicating that the plaintiff will re-
16 move the lien as soon as he will be payed for his services.
17 (this is the only phone call and conversation with the defendant
18 that the plaintiff has ever had)

19 VIII

20 The plaintiff has never been served, received, seen or read the
21 Summons and Complaint from the defendant.

22 IX

23 On Dec. 15th 2008 Mark Garris answered his door bell at 1608
24 Aurora Ave. N. Apt. "A" and saw a stranger who asked what was
25 Mark's name? Mark, still half asleep, Mark Garris he said.
26 Immediately thereafter the stranger thrusted some papers at
27 Mark and left before Mark could realize that these were supposed
28 Complaint -2-

COPY

1 to be given or served to Mart Liikane instead. Mark send them
2 back, with a letter and a copy to the Snohomish County Clerk's
3 office.

4 X

5 The plaintiff, Mart Liikane, does not live at 1608 Aurora Ave.N.
6 at all and to this day has not received or has not been served
7 with Summons and Complaint from the defendant or his client.

8 XI

9 On Jan.10, 2009 the plaintiff found an envelope from Mr.Bigsby,
10 in which the plaintiff found a copy of a civil motion for default
11 fausely made confirmation of a telephone appearance with a
12 certificate of service; a fraudulent motion and declaration for
13 order of default; fraudulent and falsely made declaration under
14 penalty of perjury; people finder historic tracker record
15 (incomplete); declaration of service of summons and complaint
16 to remove lien and for damages(which the plaintiff has never
17 been served or seen or read); again,under the penalty of perjury
18 A.Shantz 0109175 (whoever he or she is?) fraudulently declares
19 that Mart Liikane was duly served the summons and complaint on
20 Dec.16,2008.; finally, the order of default(proposed) for Judge's
21 or Court Commissioner's signature..

22 For his second cause of action against the defendant, plaintiff
23 alleges and avers as follows:

24 Plaintiff realleges and incorporates herin paragraphs I thru XI

25 I

26 The defendant has fraudulently and falsely produced documents

27
28 Complaint

-3-

COPY

1 for the Court, constituting official misconduct in an attempt to
2 find the plaintiff in default by not answering the summons and
3 complaint within the required 20 day period and therefore the
4 defendant is attempting to collect damages and get the Court to
5 throw the case out of the judicial system, constituting obstruc-
6 tion of justice. (How can the plaintiff appear or answer the
7 summons and complaint, which he has never been served, received,
8 seen or read) It is a physical impossibility.

9 The plaintiff had open heart surgery(5 by-pass) and is in a
10 critical situation as far as stroke and heartattack is concerned
11 (part of the heart muscle is dead) and according to the doctors
12 he has to be free from any stress.

13 The wrongful actions of the defendant-threats, purjury, misconduct,
14 obstruction of justice, lies and misrepresentations have done
15 great damage to the plaintiff by way of stress, pain and suffe-
16 ring as well damaging his reputation as an architect which in
17 turn has caused loss of commissions and jobs.

18 WHEREFORE, plaintiff prays for the following relief:

- 19 1) That the plaintiff be awarded \$660,000.00 for punitive
damages mentioned above.
- 20 2) That the plaintiff recover all fees and expenses incurred
in defending the defendant's fraudulent and false motions
and actions.
- 21 3) That the plaintiff recover all court costs and such other
relief as the jury deems just and equitable.

COPY

1 4) That the defendant be required to follow the Washington
2 Court Rules, without any exceptions and favors.
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DATED this 20th day of January, 2009.

Mart Liikane, Attorney of record
1608 Aurora Ave. N.
Seattle, Wa. 98109
(206) 484-6981

27 Complaint

28 -5-

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EXHIBIT A

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR SNOHOMISH COUNTY

MART LIIKANE,
Third party
Plaintiff,
v.
CITY OF EVERETT,
DAVID TYLER
ALLAN GIFFEN
JAMES and CATHY RUESKEN,
Third party
Defendants.

NO. 08 2 10255 4

THIRD PARTY COMPLAINT

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THIRD PARTY COMPLAINT

COMES NOW, THE THIRD PARTY PLAINTIFF, Mart Liikane and alleges
and avers as follows:

三

Third party plaintiff, Mart Liikane, is a licensed architect registered to do business in States of Washington and Hawaii.

III

9 Third party defendant City of Everett is presumed to be a in-
10 incorporated City, in State of Washington.

11 Third party defendant David Tyler is presumed planner for City
12 of Everett's Planning and Community Development Department.

13 Third party defendant Allan Giffen is presumed to be Director of
14 the Planning and Community Development Department.

15 Third party defendants James and Cathy Ruesken are presumed to
16 be the new owners of the property located at 3726 Wetmore Ave. in
17 Everett, Wa.

III

19 The plaintiff, Rhonda Baker, and the third party plaintiff, Mart
20 Liikane, on or about October 3, 2006, entered into a architectural
21 contract, in which Liikane as an architect was to design two
22 apartment buildings (one at 3313 Oakes Ave. and the other at
23 3726 Wetmore Ave., both in Everett, Wa.) She breached that contract.

IV

Before beginning the design, Liikane consulted with the City of Everett's building department and with their officials. Liikane wanted to be certain about all of the zoning and building code

1 requirements, within which to design the buildings.
2

3 V
4

5 During the design and working-drawing phases of the projects,
6 Baker and Liikane on several occasions met with the building
7 department officials, making certain that all was correctly on
8 track. All was well with the few corrections~~s~~ to the code require-
9 ments. Baker quit her regular job ,in order to designate her
10 entire efforts and full attention to the projects at hand. Oakes
11 property had a old house on it. It was empty and squatters moved
12 in and wrecked the place and set on fire. City of Everett did
13 request that the building be demolished. Baker entered into
14 another contract with Liikane to demolish the structure, with a
15 stipulation that Liikane will provide the labor and Baker will
16 pay directly to Rubatino for the dumpsters and dumping fees.
17 Initially Baker paid Rubatino and then did not pay and Rubatino
18 sued Liikane for the balance. Liikane had to defend ,counterclaim
19 and drag in the third party defendant Baker. Finally Mr. Mr. J.
20 Kirchgesner, presumably the husband of Baker, did agree to pay
21 the Rubatino directly if Liikane will remove the lis pendens
22 which he had placed on the property in order to enforce the origi-
23 nal contract. Baker breached that contract as well.

24 VI
25

26 Working-drawings were pretty well completed and obviously Baker
27 wanted to receive some idea of the construction cost estimate.
28 Liikane recommended that she obtain at least three contractors
who would give her a preliminary estimate. She obtained one Mr.
J. Ruesken with whom Liikane met few times to go over the plans
Third party complaint -3-

1 and construction details. Mr. Ruesken was very evasive and did
2 not provide detailed construction cost breakdown ,instead he
3 wanted to build with the old "stick" method out of wood. Liikane
4 and Baker had agreed on a better system,namely "The Quad-Lock
5 Building Solution". This is a construction system with great
6 advantages over wood construction: fire proof;reinforced concrete
7 resistant to rot with good insulation value; quick and easy to
8 install.

9 VII

10 Baker began to complain to Liikane that she is having financial
11 problems: mortgage to pay; she quit her regular job etc. City
12 refused to continue the building permit process and would not
13 grant a permit, ~~emphasis~~ of design as not meeting their some kind
14 of guide lines, and therefore,a conspiracy between City,Baker
15 and Ruesken took shape and Baker refused to compensate Liikane
16 for all of his work and services rendered up to date,claiming
17 Liikane for not obtaining a building permit.

18 Liikane was willing to challange the City on the U.S.Constitutional
19 basis (Am.I and Am.IV) but Baker refused-fired Liikane,without
20 pay,sold "Wetmore Property" to Roesken. Liikane,in order to
21 protect his work,did place a lis pendens on the property and
22 later filed a Lien as well. Lis pendens was filed on "Oakes
23 Property". Baker breached both the architectural and construction
24 contracts, and sued Liikane instead.

25 VIII

26 On February 22,2008 Allan Giffen issued a unconstitutional order
27 to stop the building permit process on eight unit apartment
28 building at 3313 Oakes Ave.with the following :"Note: The Planning
Third party complaint

1 Director has the authority to require changes to project design
2 to ensure that the project meets the design guidelines." Since
3 when does the City have a right to design the building which the
4 licensed architect has been commissioned to design? Allan Giffen
5 is violating the U.S. Constitution, amendments 1 and 14. Evidence
6 to that will be presented to the jury..

7 IX

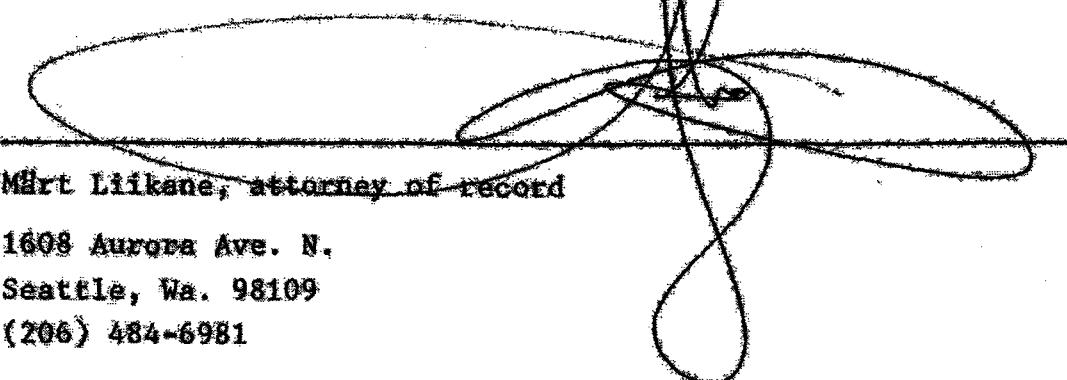
8 On September 10, 2007 David Tyler, the city planner, wrote to Baker
9 similar thing about the six unit apartment design at 3726 Wet-
10 more Ave. Same U.S. Constitutional rights were violated by Tyler.
11 (1st and 14th Amendments of U.S. Constitution). Tyler also wrote
12 to Baker on July 24th, 2007 about the similar guidelines. Again,
13 violating the Amendments to U.S. Constitution.

14 Because of plaintiff's own negligence, breach of contracts (few)
15 her frivolous lawsuit and conspiracy with the third party defen-
16 dants who abused their office by violating the first and the
17 fourteenth amendments of the U.S. Constitution all have done a
18 great damage to the third party plaintiff by way of stress, pain
19 and suffering as well as damaging his reputation as an architect,
20 which in turn has caused losses of commissions and jobs.

21 WHEREFORE, the third party plaintiff prays for the following
22 relief:

- 23 1. That all the lawsuits against the third party plaintiff be
24 dismissed.
25 2. That the third party plaintiff be awarded \$275,000.00 for
26 punitive damages.

- 1 3. That the third party plaintiff be awarded \$100,000.00 for
2 the compensatory and actual damages.
3 4. That the third party plaintiff recover all costs and expenses
4 connected with all the breaches of contracts and third party
5 defendants' violations of the U.S. Constitution and their abuse
6 of office.
7 5. That the third party plaintiff recover all fees and costs
8 incurred in defending the frivolous lawsuit by the plaintiff.
9 6. That the third party plaintiff recover all the damages and
10 all the costs and fees in defending the conspirator Ruecken's
11 lawsuit.
12 7. That the third party plaintiff recover all court costs and
13 such other relief as the jury deems just and equitable.

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16 DATED this 25th of February, 2009.
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22 Mr. Liikane, attorney of record
23 1608 Aurora Ave. N.
24 Seattle, Wa. 98109
25 (206) 484-6981
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9 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
10 FOR SNOHOMISH COUNTY

11 MART LIIKANE,) No. 08-2-10255-4
12 Third party plaintiff,) JURY DEMAND FOR TWELVE
13 v.
14 CITY OF EVERETT;
15 DAVID TYLER;
16 ALLAN GIFFEN; JAMES and CATHY
17 RUESKEN;
18 Third party defendants.

19 COMES NOW, Mart Liikane, the third party plaintiff in this action
20 and hereby makes a formal jury demand of twelve and further take
21 notice that this demand is timely and that appropriate fees have
22 been posted.

23 DATED this 25th day of February, 2009.

24 Mart Liikane, attorney of record
25 1608 Aurora Ave. N.
26 Seattle, Wa. 98109
27 (206) 484-6981

28 Jury Demand of Twelve

-1-

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